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In re Application of
Shiraishi, Naomasa
Application No.: 09/926,149
PCT No.: PCT/JP00/00604
Int. Filing Date: 04 February 2000
Priority Date: 12 March 1999
Attorney Docket No.: 213876US2PCT
For: EXPOSURE APPARATUS AND
EXPOSURE METHOD, AND
DEVICE MANUFACTURING
METHOD

: DECISION VACATING
: NOTIFICATION OF MISSING
: REQUIREMENTS

This application is before the PCT Legal Office for issues arising under 35 U.S.C. 371.

On 04 February 2000, applicants filed international application PCT/JP00/00604 which claimed a priority date of PCT/JP00/00604. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 21 September 2000. A DEMAND for preliminary examination was not filed prior to the expiration of the 19 months from the priority date. Accordingly, the twenty-month period for paying the basic national fee expired at midnight on 12 September 2001.

On 12 September 2001, applicant filed a Transmittal Letter (PTO-1390) requesting entry into the national stage in the United States of America under 35 U.S.C. 371. Filed with the Transmittal Letter were, *inter alia*, the requisite basic national fee of \$860 and an English translation of the international application.

On 23 November 2001, the United States Designated/Elected Office mailed a Notification of Missing Requirements (PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge under 37 CFR 1.492(e) U.S.C. 371 (Form PCT/DO/EO/905) indicating that the declaration was not in compliance with 37 CFR 1.66 or 37 CFR 1.68. The notification was mailed to an address that was not the correspondence address listed on the Transmittal Letter filed 12 September 2001.

Since the Notification of Missing Requirements was mailed to address that was not listed on the Transmittal Letter, the Notification of Missing Requirements (Form PCT/DO/EO/905) dated 23 November 2001 is hereby VACATED.

The application is being returned to the DO/EO/US for processing in accordance with this decision, that is, for mailing a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) indicating that the oath or declaration requirement of 35 U.S.C. 371(c)(4) has not been satisfied.

The correspondence address currently listed in the PALM database will be corrected to: Oblon Spivak McClelland Maier & Nuestadt, Fourth Floor, 1755 Jefferson Davis Highway, Arlington, VA 22202.



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